

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

National Stage of International)
Application No. PCT/JP2003/008217)
under 35 U.S.C. 371 of:)
Katsuhisa MITSUHASHI et al.) Group Art Unit:
Application No.: 10/519,212) Examiner:
Filed: December 27, 2004)
For: METHOD FOR PRODUCING)
LACTONE)

**MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. A copy of the cited foreign patent documents and non patent literature documents is enclosed. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

1. JP 59-82090 - The relevance of this document is disclosed on page 2 of the specification of the present patent application. A counterpart of this application is U.S. 4,560,656 cited on attached Form PTO/SB/08.

2. JP 06-225781 – The relevance of this document is disclosed at page 4 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 5,527,693 cited on attached Form PTO/SB/08.

3. JP 3-155792 – The relevance of this document is disclosed at page 3 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 5,128,261 cited on attached Form PTO/SB/08.

4. JP 4-108782 – The relevance of this document is disclosed at page 3 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 5,420,306 cited on attached Form PTO/SB/08.

5. JP 2-174685 – The relevance of this document is disclosed at page 2 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 4,950,607 cited in the Information Disclosure Statement filed with this application on December 27, 2004

6. JP 63-56295 – The relevance of this document is disclosed at page 2 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 5,219,742 cited on attached Form PTO/SB/08.

7. JP 03-117494 – The relevance of this document is disclosed at page 2 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 5,789,212 cited on attached Form PTO/SB/08.

8. EP 0 997 533 A1 – The relevance of this document is disclosed at page 2 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 6,451,565 cited on the attached Form PTO/SB/08. The Japanese-language counterpart of this application, 2002-528989, is attached to the document.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute “prior art.” If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute “prior art” under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Customer No. 22,852
Attorney Docket No. 04853.0121

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 17, 2005

By:

A handwritten signature in black ink, appearing to read "Ernest F. Chapman", is written over a horizontal line.

Ernest F Chapman
Reg. No. 25,961

Enclosures

| | | | | | |
|--|---|----|---|--------------------------|-----------------------------|
| IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/519,212 |
| | | | | Filing Date | December 27, 2004 |
| | | | | First Named Inventor | Katsuhisa MITSUHASHI et al. |
| | | | | Art Unit | |
| | | | | Examiner Name | |
| Sheet | 1 | of | 2 | Attorney Docket Number | 04853.0121 |

| U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS | | | | | |
|---|-----------------------|--|---|---|---|
| Examiner Initials | Cite No. ¹ | Document Number | Issue or Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | | US-4,560,656 | 12-24-1985 | Farbood et al. | |
| | | US-5,527,693 | 06-18-1996 | Cardillo et al. | |
| | | US-5,128,261 | 07-07-1992 | Maria de Laat et al. | |
| | | US-5,420,306 | 05-30-1995 | Noyori et al. | |
| | | US-6,451,565 | 09-17-2002 | Rabenhorst et al. | |
| | | US-5,219,742 | 06-15-1993 | Cheetham et al. | |
| | | US-5,789,212 | 08-04-1998 | Boog et al. | |

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|--------------------------------|---|---|--------------------------|
| Examiner Initials | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translation ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | JP 59-82090 | 05-11-1984 | FRITZSCHE DODGE & OLCOTT INC. | | No |
| | | JP 06-225781 | 08-16-1994 | PERUNO RIKAALE SA | | No |
| | | JP-3-155792 | 07-03-1991 | PFW BEHEER BV | | No |
| | | JP-4-108782 | 04-09-1992 | TAKASAGO PERFUMERY CO LTD. | | No |
| | | JP-2-174685 | 07-06-1990 | PERNOD RICARD | | No |
| | | JP-63-56295 | 03-10-1988 | UNILEVER NV | | No |
| | | JP-03-117494 | 05-20-1991 | UNILEVER NV | | No |
| | | EP-0 997 533 A1 | 05-03-2000 | HAARMANN & REIMER GMBH | | No |
| | | JP-2002-528089 | 09-03-2002 | | | No |

| | | | | | |
|--|---|----|---|-------------------------------|-----------------------------|
| IDS Form PTO/SB/08: Substitute for form 1449A/PTO | | | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | <i>Application Number</i> | 10/519,212 |
| | | | | <i>Filing Date</i> | December 27, 2004 |
| | | | | <i>First Named Inventor</i> | Katsuhisa MITSUHASHI et al. |
| | | | | <i>Art Unit</i> | |
| | | | | <i>Examiner Name</i> | |
| Sheet | 2 | of | 2 | <i>Attorney Docket Number</i> | 04853.0121 |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|--------------------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation ⁶ |
| | | TAHARA et al., "γ-Decalactone-One of Constituents of Volatiles in Cultured Broth of <i>Sporobolomyces odoratus</i> ," <i>Agr. Biol. Chem.</i> , Vol. 36, No. 13, p. 2585-2587 (1972). | |
| | | SARRIS et al., "Production of Odoriferous γ Lactones by <i>Fusarium poae</i> ," <i>Agric. Biol. Chem.</i> , Vol. 49, No. 11, pp. 3227-3230 (1985). | |
| | | MAUME et al., "The Production of γ-Decalactone by Fermentation of Castor Oil," <i>Biocatalysis</i> , Vol. 5, pp. 79-97 (1991). | |
| | | Okui et al., "Metabolism of Hydroxy Fatty Acids," <i>The Journal of Biochemistry</i> , Vol. 54, No. 6, pp. 536-540 (1963). | |
| | | BERNREUTHER et al., "Determination of the Enantiomeric Composition of γ-lactones in Complex Natural Matrices Using Multidimensional Capillary Gas Chromatography," <i>Journal of Chromatography</i> , Vol. 481, pp.363-367 (1989). | |
| | | JOURDAIN et al., "Aroma Components Production by Immobilized Microbial Cells," <i>Topics in Flavour Research, Proceedings of the International Conference, Freising - Weißenstephan, April 1-2, (1985), pp. 427-441, H. Eichhorn, Germany</i> | |

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.